

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	
)	Chapter 11
)	
BOUCHARD TRANSPORTATION CO., INC., <i>et</i>)	Case No. 20-34682 (DRJ)
<i>al.</i> , ¹)	
)	(Jointly Administered)
Debtors.)	
)	

**NOTICE OF APPEAL BY THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

The Official Committee of Unsecured Creditors (“Appellant”) hereby submits this Notice of Appeal pursuant to 28 U.S.C. § 158(a) and Federal Rule of Bankruptcy Procedure 8003.

Part 1: Identification of the Appellant

1. Name of Appellant: Official Committee of Unsecured Creditors of Bouchard Transportation Co, Inc.
2. Position of Appellant in Bankruptcy Case: Appellant is a party in interest in the above-captioned bankruptcy cases as the Official Committee of Unsecured Creditors pursuant to 11 U.S.C. §§ 1102(a) & 1109(a).

Part 2: Identification of the Subject of the Appeal

3. Appellant hereby appeals the (a) *Order Allowing Hartree Capital LP’s Claims* (Docket No. 1285) (the “Hartree Order”); and (b) the *Order (I) Approving Bidding Procedures for the Sale of the Debtors’ Assets, (II) Approving Bid Protections, (III) Scheduling Certain*

¹ Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/bouchard>. The location of the Debtors’ service address is: 58 South Service Road, Suite 150, Melville, New York 11747.

Dates with Respect Thereto, (IV) Approving the Form and Manner of Notice Thereof, and (V) Approving Contract Assumption and Assignment Procedures [Docket No. 956] (the “Bid Procedures Order”).

4. The Court entered the Hartree Order on August 23, 2021, and the Bid Procedures Order on June 8, 2021.

5. The Hartree Order and the Bid Procedures Order are attached hereto as **Exhibit A** and **Exhibit B**, respectively.

Part 3: Identification of the Other Parties to the Appeal

6. The other parties to this appeal are:

Appellees	Attorney
Bouchard Transportation Co., Inc., <i>et al.</i>	KIRKLAND & ELLIS LLP Ryan Blaine Bennett, P.C. Christine Okike, P.C. Whitney Fogelberg 300 North LaSalle Street Chicago, Illinois 60654 Telephone: (312) 862-2000 Facsimile: (312) 862-2200 Email: ryan.bennett@kirkland.com Email: Christine.okike@kirkland.com Email: whitney.fogelberg@kirkland.com
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Dated: August 24, 2021
New York, New York

Respectfully submitted,

ROPES & GRAY LLP

/s/ Gregg M. Galardi

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Matthew M. Roose (admitted *pro hac vice*)

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*Counsel to the Official Committee of
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CERTIFICATE OF SERVICE

In accordance with the provisions of Bankruptcy Rule 8003(c)(1), I certify that on August 24, 2021, a true and correct copy of the foregoing was served by the Court's Electronic Case Filing System to all parties registered or otherwise entitled to receive electronic notices.

/s/ Gregg M. Galardi
Gregg M. Galardi